

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.5698 of 2021 (O&M)
Date of Decision:26.03.2021**

Lakhvir Singh Nahar

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Divjyot Singh Sandhu, Advocate for the petitioner.

Ms. Amrita Singh, Advocate for respondent-Union of India.

Ms. Monica Chhiber Sharma, Sr. DAG, Punjab.

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner seeks a mandamus for directing the concerned respondent-authorities to issue to him a passport.

Notice of motion had been issued.

Ms. Amrita Singh, Advocate, had entered appearance on behalf of respondent-Union of India as also the concerned passport authority.

A justification was sought to be put forth that the application form of the petitioner had not been processed and the passport had not been issued as the petitioner had not revealed as his involvement in FIR No. 66 dated 02.09.2015 under Sections 34, 323, 326, 148 and 149 IPC registered at Police Station Bholath, District Kapurthala.

Be that as it may it stands uncontroverted that pursuant to a settlement having been arrived at between the complainant side and the petitioner, a quashing petition under Section 482 Cr.P.C. i.e. CRM-M-4627-

2019 was filed by the petitioner in this Court and the same was allowed vide order dated 27.05.2019 (Annexure P-2).

Counsel for the petitioner makes a statement that in the light of such development there would be no impediment insofar as issuance of passport is concerned. He submits that he would be satisfied if the writ petition were to be disposed of with a direction that in case petitioner submits a fresh application for issuance of a passport, the same be processed expeditiously and within a stipulated time frame.

Learned counsel representing the respondent/passport authorities does not oppose the prayer.

In view of the above, instant writ petition is disposed of.

It is observed that in case petitioner submits an application afresh for issuance of a passport, the same would be processed in accordance with law and as per provisions of the Passport Act and Rules framed thereunder.

The competent authority upon process of the application would issue the passport in favour of the petitioner within a period of six weeks from the date of submission of application.

In the eventuality of there being any legal impediment in issuance of the passport, a reasoned decision would then be taken and would be conveyed to the petitioner.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

March 26, 2021

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No